

FIRST REGULAR SESSION

[PERFECTED]

HOUSE COMMITTEE SUBSTITUTE FOR

HOUSE BILL NO. 936

97TH GENERAL ASSEMBLY

1732H.03P

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To amend chapters 188 and 335, RSMo, by adding thereto two new sections relating to the provision of health care services.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Chapters 188 and 335, RSMo, are amended by adding thereto two new sections, to be known as sections 188.021 and 335.175, to read as follows:

2 **188.021. When RU-486 (mifepristone) or any drug or chemical is used for the**
3 **purpose of inducing an abortion, the drug or chemical shall be administered in the same**
4 **room and in the physical presence of the physician who prescribed, dispensed, or otherwise**
5 **provided the drug or chemical to the patient. The physician inducing the abortion, or a**
6 **person acting on such physician's behalf, shall make all reasonable efforts to ensure that**
7 **the patient returns twelve to eighteen days after the administration or use of RU-486 or any**
8 **drug or chemical for a follow-up visit so the physician is able to confirm that the pregnancy**
9 **has been terminated and assess the patient's medical condition. At a minimum, the**
10 **physician inducing the abortion shall include in the patient's medical records the date,**
11 **time, and identification by name of the person making such reasonable efforts to ensure**
 the patient returns for a follow-up visit in accordance with this section.

335.175. 1. No later than January 1, 2014, there is hereby established within the
2 **state board of registration for the healing arts and the state board of nursing the**
3 **"Utilization of Telehealth by Nurses". An advanced practice registered nurse (APRN)**
4 **providing nursing services under a collaborative practice arrangement under section**
5 **334.104 may provide such services outside the geographic proximity requirements of**
6 **section 334.104 if the collaborating physician and advanced practice registered nurse**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

7 utilize telehealth in the care of the patient and if the services are provided in a rural area
8 of need. Telehealth providers shall be required to obtain patient consent before telehealth
9 services are initiated and ensure confidentiality of medical information.

10 2. As used in this section, "telehealth" means the use of medical information
11 exchanged from one site to another via electronic communications to improve the health
12 status of a patient, as defined in section 208.670.

13 3. (1) The boards shall jointly promulgate rules governing the practice of telehealth
14 under this section. Such rules shall address, but not be limited to, appropriate standards
15 for the use of telehealth.

16 (2) Any rule or portion of a rule, as that term is defined in section 536.010, that is
17 created under the authority delegated in this section shall become effective only if it
18 complies with and is subject to all of the provisions of chapter 536 and, if applicable,
19 section 536.028. This section and chapter 536 are nonseverable and if any of the powers
20 vested with the general assembly pursuant to chapter 536 to review, to delay the effective
21 date, or to disapprove and annul a rule are subsequently held unconstitutional, then the
22 grant of rulemaking authority and any rule proposed or adopted after August 28, 2013,
23 shall be invalid and void.

24 4. For purposes of this section, "rural area of need" means any rural area of this
25 state which is located in a health professional shortage area as defined in section 354.650.

26 5. Under section 23.253 of the Missouri sunset act:

27 (1) The provisions of the new program authorized under this section shall
28 automatically sunset six years after the effective date of this section unless reauthorized by
29 an act of the general assembly; and

30 (2) If such program is reauthorized, the program authorized under this section
31 shall automatically sunset twelve years after the effective date of the reauthorization of this
32 section; and

33 (3) This section shall terminate on September first of the calendar year immediately
34 following the calendar year in which the program authorized under this section is sunset.

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